

FACTSHEET

REAPPORTIONMENT

Refer to the State Constitution, Article IV, Reapportionment for further information.

GENERAL INFORMATION

Reapportionment is a process of allocating the seats in a legislative body to equally and proportionally distribute representation within the State of Hawaii. For a number of reasons, absolute equality is not possible. However, constitutional principles dictate that deviations or differences between districts not be excessive.

Reapportionment is conducted following the taking of the census to ensure that citizens are equally represented in a governmental body. During reapportionment, the distribution of the population is reviewed and legislative and congressional districts are re-drawn.

Reapportionment is conducted every ten years. The next reapportionment will be conducted in 2001. (Article IV, Section 1).

REAPPORTIONMENT COMMISSION (State Constitution Article IV)

The Reapportionment Commission is constituted on or before May 1 of each reapportionment year and consists of nine members. The members are selected as follows:

1. Two members shall be selected by the President of the Senate;
2. Two members shall be selected by the Speaker of the House;
3. Two members shall be selected by a member designated by the members of the party or parties different from that of the President of the Senate;
4. Two members shall be selected by a member designated by the members of the party or parties different from that of the Speaker of the House;
5. One member shall be selected by the eight members above within thirty days of their appointment, by a vote of six members, to serve as chairperson of the Commission.

The Commission acts by a majority vote of its membership and establishes its own procedures, except as provided by law.

The Chief Election Officer serves as the non-voting secretary of the Commission and furnishes technical services as necessary.

Members of the Reapportionment Commission and the Apportionment Advisory Councils are not eligible to become candidates for election to the State Legislature or to the United States House of Representatives in either of the first two elections under a new reapportionment plan.

APPORTIONMENT ADVISORY COUNCIL

Each of the four officials designated as selecting authorities for the eight members of the Commission selects, at the time of the Commission selections, one person from each basic island unit to serve on an Apportionment Advisory Council for that island unit. Each Advisory Council serves in an advisory capacity to the Commission for matters affecting its island units and remains in existence during the life of the Commission.

APPORTIONMENT (Hawaii State Constitution, Article IV)

The Commission is responsible to allocate the total number of members of each house of the State Legislature among the four basic island units:

1. The island of Hawaii;
2. The islands of Maui, Lanai, Molokai, and Kahoolawe
3. The island of Oahu and all other islands not specifically enumerated; and
4. The island of Kauai and Niihau.

The minimum representative for each basic island unit is two senators and three representatives.

After determining the total number of members of each house of the State Legislature to which each basic island unit is entitled, the Commission apportions the members among the districts therein and re-draws the district lines where necessary. The districts are apportioned in such manner that the average number of residents per district for each house is as nearly equal to the average for the basic island unit as practicable.

In effecting such redistricting, the Commission shall be guided by the following criteria:

1. No district shall extend beyond the boundaries of any basic island unit.
2. No district shall be drawn as to unduly favor a person or political faction.
3. Except in the case of districts encompassing more than one island, districts shall be contiguous.
4. Insofar as practicable, districts shall be compact.
5. Where possible, district lines shall follow permanent and easily recognized features, such as streets, streams, and clear geographical features, and, when practicable, shall coincide with census tract boundaries.
6. Where practicable, representative districts shall be wholly included within senatorial districts.
7. Not more than four (4) members shall be elected from any district.
8. Where practicable, submergence of an area in a larger district where in substantially different socio-economic interests predominate shall be avoided.

PROPOSED REAPPORTIONMENT PLAN

The Commission conducts public hearing and consults with the Apportionment Advisory Council of each basic island unit during the preparation of the reapportionment plan. After preparing a proposed reapportionment plan, the Commission must publish the plan in a newspaper of general circulation in each basic island unit. The plan must be completed within one hundred (100) days from the date on which all members are certified.

After the initial publication of the plan, the Commission must hold at least one (1) public hearing on the proposed reapportionment plan on each basic island unit. At least twenty days notice be given of such public hearing. The notice shall be published at least once in a newspaper of general circulation in the substance of the proposed reapportionment plan, and the date, time and place where an opportunity to submit data, views, or arguments, orally or in writing, for consideration by the Commission.

After the last public hearing, the Commission corrects or modifies the plan, if necessary. The Commission must file the final legislative and congressional reapportionment plan with the Chief Election Officer. The final plan must be filed within one hundred fifty (150) days from the date on which all members of the Commission are certified. Within fourteen (14) days after receiving the final reapportionment plan, the Chief Election Officer shall publish, in a newspaper of general circulation in the State, the final legislative reapportionment

plan. Upon publication, the final plan shall become effective and shall govern the election of members of the next five succeeding legislatures.

This Fact Sheet is intended for informational purposes only and should not be used as an authority on the Hawaii election law and candidate deadlines. Requirements and/or deadlines may change pending changes in legislation. Consult the Hawaii Revised Statutes and other sources for more detailed and accurate requirements.

Office of Elections - FSBO141B
July 2001